

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

JOHN BARRETT)	CASE NO. 1:12CV2123
Plaintiff,)	JUDGE JOHN R. ADAMS
-vs-)	
)	<u>MEMORANDUM OF OPINION</u>
COMMISSIONER)	<u>AND ORDER</u>
OF SOCIAL SECURITY)	
Defendant.)	

The Social Security Administration denied Plaintiff John Barrett's application for Social Security Benefits. He sought judicial review of the Commissioner's decision, and this Court referred the case to the Magistrate Judge for preparation of a report and recommendation pursuant to 28 U.S.C. 636 and Local Rule 72.2(b)(1). On December 5, 2012, the Magistrate Judge issued an interim report and recommendation recommending that the Commissioner's motion to dismiss Plaintiff's complaint should be denied. After the matter was fully briefed to this Court, the Court adopted the interim R&R in whole. The facts and basis for the motion to dismiss and the Court's conclusions are fully set forth in this Courts Order adopting the R&R. Doc. 35.

The matter continued before the Magistrate Judge and on May 2, 2013, the parties filed their joint proposed stipulation to remand to the Commissioner. Doc. 37. Shortly thereafter, the Magistrate Judge issued a report and recommendation, recommending that this Court enter judgment reversing and remanding this case in accordance with the terms of the parties' joint stipulation. The parties did not object to this recommendation.

Fed. R. Civ. P. 72(b) provides that the parties may object to a report and recommendation within 14 days after service. Plaintiff did not filed objections and the Commissioner specifically

stated that he did not object. Thus, any further review by this Court would be a duplicative and inefficient use of the Court's limited resources. *Thomas v. Arn*, 728 F.2d 813 (6th Cir. 1984); *Howard v. Sec'y of Health and Human Servs.*, 932 F.2d 505 (6th Cir. 1991); *United States v. Walters*, 638 F.2d 947, 949-50 (6th Cir. 1981).

The Magistrate Judge's R&R is hereby ADOPTED and the matter is REVERSED and REMANDED.

IT IS SO ORDERED.

Dated: May 22, 2013

/s/ John R. Adams
UNITED STATES DISTRICT JUDGE